

MOHAMMED KAHN.

APRIL 7, 1880.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. CALDWELL, from the Committee on Invalid Pensions, submitted the following

REPORT:

[To accompany bill H. R. 5662.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5615) for the relief of Mahommed Kahn, otherwise John Ammahoe, have considered the same, and report:

Mohammed Kahn was enlisted in the United States service as a private in Company E, Forty-third New York Volunteers, August 2, 1861, and was discharged said service June 27, 1865. He is borne on the rolls of said regiment as John Ammahoe. He is a native of Afghanistan, India, and alleges that, being unable to speak English when he enlisted, he was enrolled as a Blackfoot Indian, the enrolling officer "guessing" that he belonged to that tribe.

He alleges that while in the service and line of duty he was struck in the face with the butt of a musket in the hand of one of the enemy at the battle of Malvern Hill, in the Peninsula campaign; that he received a pistol-ball wound at the battle of Spottsylvania, Va. He is also, as he insists, afflicted with rheumatism contracted in the service.

His term of service embraces nearly four years; and for six months, 1862-'63, he is borne on the rolls as a deserter, which he bitterly and indignantly denies, but accounts for his absence by saying that while on detached duty at Frederick City, Md., he was arrested as a contraband, though protesting at the time as well as he could in broken English that he was a member of the Forty-third New York Volunteers, and was, with a squad of contrabands, sent to Harrisburg, Pa.; that he had no means of returning to his command, and when he asked for transportation it was refused because his story was not believed. He hired out as a servant to a captain of a Connecticut battery, who took him to Petersburg, Va., where he finally rejoined his regiment and remained with it till the close of the war.

John J. Shipman and Francis Bengolen say that they became acquainted with the claimant about eighteen months after his enlistment, and that at that time he was sound and free from disease.

Thomas W. Withcomb states that he was connected with the Army and knew the claimant, and that the claimant contracted rheumatism of the neck and shoulder during the spring of 1865. Of this, he says, he has personal knowledge.

Joseph W. McGraw, late a member of claimant's company, testifies that claimant contracted rheumatism while in the service, affecting

his body and joints generally, by reason of hardship and exposure in the Army; that he was first attacked at Sailor's Creek, Virginia, in April, 1865.

William T. Morris and W. H. Washington testify that in the spring of 1866 claimant was confined to his bed with chronic rheumatism, and that he suffered with it continuously during 1866 and 1877.

Dr. Webster Prentiss testifies that claimant was under his treatment for chronic rheumatism in July and August, 1869.

Dr. William B. Mackin, of Boston, Mass., states that he treated claimant for chronic rheumatism in 1869 and 1870.

Dr. Stephen Jones states that he treated claimant for chronic rheumatism and affection of the head during the years of 1872 and 1873.

Levi Tower, druggist, of Boston, Mass., states that claimant bought medicine of him for two years, beginning in 1869, and he regarded him as a very sick man with chronic rheumatism and scalp disease.

Ashel Boyden, pharmacist, Boston, states that he furnished claimant medicine for rheumatism in 1870.

Neither the office of the Adjutant-General nor Surgeon-General contains any record of treatment of claimant for disease or wound.

Examining-Surgeon Stanton certifies that claimant is laboring under no disability resulting from injury to face or gunshot wound of left hand. He says nothing as to rheumatism; certificate dated June 5, 1875.

Examining-Surgeons William Grinstead, J. B. G. Braxton, and N. F. Craton, under date of July 18, 1874, state that claimant is one-eighth disabled by reason of wound in hand, one-eighth disabled by reason of injury to face, and one-half disabled by reason of rheumatism, the three physicians acting as a board of examining-surgeons.

Four examining-surgeons made a diagnosis of his case May 14, 1875, and reported that he is totally disabled by reason of injury to face, hand, and rheumatism.

The claim was rejected by the Pension Office because there was no record evidence of the injuries and disability alleged, and because the testimony of no commissioned officer of the command was adduced to prove the claim.

The committee are of opinion that the relief sought should be granted, and recommend the passage of the accompanying substitute for the bill.